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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,655	01/18/2002	Richard C. Hugg		5528

7590

04/11/2003

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EXAMINER

GORDON, STEPHEN T

ART UNIT

PAPER NUMBER

3612

DATE MAILED: 04/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application

10/052,655

Applicant(s)

H-99

Examiner

Gordon

Art Unit

3612

Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- ☒ Responsive to communication(s) filed on 3-5-02 & 4-1-02
- ☐ This action is **FINAL**. ☐ This action is non-final.
- ☒ Since this application is in condition for allowance except for the formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-11 is/are pending in this application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 7-9 is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☒ Claim(s) 1-6 & 10-11 is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved or ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are ☐ accepted or ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).
- ☐ All ☐ Some\* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- ☐ The translation of the foreign language provisional application has been received.

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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### DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

In the drawings:

The ~~hook~~ extending portion "24" should have a different reference number than the plate "24".

In the specification:

The ~~term~~ "IN" on page 4 - line 4 should be --In--.

In the claims the following minor informalities are noted:

Re claim 1, "said pocket area" near the end of the claim should be --one of said pocket areas-- for added clarity. Note the similar term at the end of claim 4.

Re claim 5, "said pocket area" near the end of the claim should be --one of said pocket areas-- for added clarity. Additionally, "associate" in line 5 should apparently be --associated--.

Re claim 6, "said pocket area" near the end of the claim should be --one of said pocket areas-- for added clarity.

Re claim 10, "said stand-off plates" should be --said stake pockets-- for consistency.

Additionally, "said pocket area" bridging lines 12 and 13 should be --one of said stake pockets-- for added clarity. Finally, "The stake pocket area" near the end of the claim should be --one of said stake pockets-- for added clarity.

Re claim 11, "said stake pocket" in line 11 should be --one of said stake pockets-- for added clarity. Additionally, "the stake pocket area" at the end of the claim should be changed to something like --a stake pocket area-- for added clarity.

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Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

2. Applicant should note, instant claims 10 and 11 are very similar. Applicant should take care in amending these claims such that the claim wording in both claims is not identical.
3. Claims 1-6 and 10-11 are objected to for the minor informalities noted above but are otherwise allowable.
4. Claims 7-9 are allowed.
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note at least Adams teaches a rail mounted winch assembly.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (703) 308-2556.

stg.

April 4, 2003

 4/7/03  
STEPHEN T. GORDON  
PRIMARY EXAMINER